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HOUSE BILL 328

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING THE NEW MEXICO WORKS ACT TO ALLOW STUDENTS WHO HAVE NOT GRADUATED FROM HIGH SCHOOL AND CONTINUE TO ATTEND PUBLIC SCHOOL TO BE DEFINED AS DEPENDENT CHILDREN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2B-3 NMSA 1978 (being Laws 1998, Chapter 8, Section 3 and Laws 1998, Chapter 9, Section 3) is amended to read:

"27-2B-3. DEFINITIONS. -- As used in the New Mexico Works Act:

A. "benefit group" means a group of people that includes at least one dependent child living with [ a] his parent, legal guardian or relative within the fifth degree of consanguinity; or a pregnant woman;

underscored material = new  
[bracketed material] = delete

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1           B. "cash assistance" means cash payments funded by  
2 the temporary assistance for needy families block grant  
3 pursuant to the federal act and by state funds;

4           C. "department" means the human services  
5 department;

6           D. "dependent child" means a natural or adopted  
7 child or ward who is [~~eighteen years of age or younger~~]  
8 attending high school or an alternative or special education  
9 program;

10          E. "director" means the director of the income  
11 support division of the department;

12          F. "earned income" includes cash or payment in  
13 kind that is received as wages from employment or payment in  
14 lieu of wages; earnings from self-employment or earnings  
15 acquired from the direct provision of services, goods or  
16 property, production of goods, management of property or  
17 supervision of services; and all other income not classified  
18 as unearned income;

19          G. "federal act" means the federal Social Security  
20 Act and rules promulgated pursuant to the Social Security Act;

21          H. "federal poverty guidelines" means the level of  
22 income defining poverty by family size published annually in  
23 the federal register by the United States department of health  
24 and human services;

25          I. "household group" means a group [~~including the~~

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1 ~~benefit group~~ of people [~~who live together~~] that consists of  
2 a benefit group and any other person who resides in a  
3 household, regardless of whether they are related or have a  
4 legal support responsibility for a member of the benefit  
5 group, but does not include:

- 6 (1) landlords;
- 7 (2) tenants; or
- 8 (3) members of a registered nonprofit  
9 organization or church who provide shelter to a benefit group  
10 through a program sponsored by the nonprofit organization or  
11 church;

12 J. "immigrant" means alien as defined in the  
13 federal act;

14 K. "landlord" means the owner of an estate in land  
15 or a rental property who has leased it to another person  
16 called the tenant;

17 L. "parent" means natural parent, adoptive parent,  
18 stepparent or legal guardian;

19 M. "participant" means a recipient of cash  
20 assistance or services or a member of a benefit group who has  
21 reached the age of majority;

22 N. "person" means an individual;

23 O. "secretary" means the secretary of the  
24 department;

25 P. "services" includes child-care assistance;

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1 payment for employment-related transportation costs; job  
2 search assistance; employment counseling; employment,  
3 education and job training placement; one-time payment for  
4 necessary employment-related costs; case management; or other  
5 activities whose purpose is to assist transition into  
6 employment;

7 Q. "tenant" means a person who pays rent for the  
8 use and occupancy of real property owned by a landlord; and

9 R. "unearned income" includes old age, survivors  
10 and disability insurance; railroad retirement benefits;  
11 veterans administration compensation or pension; military  
12 retirement; pensions, annuities and retirement benefits; lodge  
13 or fraternal benefits; shared shelter payments; settlement  
14 payments; individual Indian money; and similar kinds of  
15 income. "

1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
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6 February 22, 1999  
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8 Mr. Speaker:  
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10 Your EDUCATION COMMITTEE, to whom has been referred  
11

12 HOUSE BILL 328  
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14 has had it under consideration and reports same with  
15 recommendation that it DO PASS, amended as follows:  
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- 17 1. On page 2, line 7, strike the brackets and line  
18 through, and after "younger" insert "or".  
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20 Respectfully submitted,  
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23 \_\_\_\_\_  
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25 Rick Miera, Chairman

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HEC/HB 328

Page 6

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Burpo, Knauer, Marquardt, Stapleton

Absent: None

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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March 15, 1999

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Mr. President:

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Your PUBLIC AFFAIRS COMMITTEE, to whom has been

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referred

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HOUSE BILL 328, as amended

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has had it under consideration and reports same with  
recommendation that it DO PASS.

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Respectfully submitted,

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Shannon Robinson, Chairman

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FORTY-FOURTH LEGISLATURE  
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Adopted \_\_\_\_\_ Not

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Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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The roll call vote was 5 For 0 Against

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Yes: 5

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No: 0

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Excused: Boitano, Ingle, Stockard, Smith

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Absent: None

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H0328PA1

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